



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड १७।

चिमला, शनिवार, २६ जुलाई, १९६८/४ श्रावण, १८६१

[संख्या ३०]

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२६ जुलाई, १९६८/४ श्रावण, १८६१ को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियाँ 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईः—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. 6-96/68-LR., dated the 11th June, 1969.	Law Department	The Himachal Pradesh Vaccination Act, 1968 (Act No. 17 of 1969).
No. 6-21/65-LR., dated the 11th June, 1969.	-do-	The Himachal Pradesh General Clauses Act, 1968 (Act No. 16 of 1961).

भाग १—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के उप-राज्यपाल और हिमाचल बैच आफ देहली हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

देहली हाई कोर्ट

NOTIFICATIONS

New Delhi, the 5th July 1969

No. 51-Estt/Him.—The Hon'ble the Chief Justice and Judges have been pleased to grant Shri Surrendra

Prakash, Sub-Judge, Theog (District Mahasu) leave on half pay for 12 days from 2-6-1969 to 13-6-1969, with permission to prefix Sunday, the 1st June, 1969, and suffix 14th and 15th June, 1969, being second Saturday and Sunday, respectively.

Certified that Shri Surrendra Prakash, would have continued to officiate as Sub-Judge, but for his proceeding on leave during the above mentioned period.

It is also certified that Shri Surrendra Prakash, returned to the same post and station after the expiry of leave.

New Delhi, the 15th July, 1969

POWERS

No. 1078 RHC/F. Judl. I (a) (HIM).—In exercise of the powers conferred by sections 26 and 27 read with section 22(2) of the Punjab Courts Act, 1918, as amended from time to time, the Hon'ble the Chief Justice and Judges have been pleased to confer upon Shri Onkar Nath, Senior Sub-Judge, Mandi, the powers of Subordinate Judge of the 1st Class to be exercised within the limits of the Civil District of Kulu.

New Delhi, the 15th July, 1969

POWERS

No. 1080 RHC/F. Judl. I (a)(HIM).—In exercise of the powers under sub-section (2) of section 12 of the Code of Criminal Procedure, 1898, as amended by the Punjab Separation of Judicial and Executive Functions Act, 1964 (Act No. 25 of 1964), the Hon'ble the Chief Justice and Judges have been pleased to confer upon Shri Onkar Nath, Senior Sub-Judge, Mandi, the powers of Judicial Magistrate 1st Class to be exercised within the limits of Civil District of Kulu.

New Delhi, the 15th July, 1969

No. 54/Estt/Him.—The Hon'ble the Chief Justice and Judges have been pleased to grant to Shri R. N. Aggarwal, District and Sessions Judge, Simla, Sirmur and Bilaspur district, Simla, 12 days leave on half pay from 28th April, 1969 to 9th May, 1969 with permission to prefix Sunday the 27th April, 1969 and affix the 10th and 11th May, 1969, being second Saturday and Sunday respectively.

Certified that Shri R. N. Aggarwal returned to the same post and station after the expiry of leave.

By order,
GURU DATTA,
Registrar.

हिमाचल प्रदेश सरकार APPOINTMENT DEPARTMENT NOTIFICATIONS

Simla-2, the 16th July, 1969

No. 1-20/67-App.—The Administrator (Lieutenant Governor), Himachal Pradesh, in consultation with the Delhi High Court, is pleased to order that Shri R. N. Aggarwal, shall hold the full charge of the post of District and Sessions Judge, Mahasu at Simla, in addition to his own duties as District and Sessions Judge, Simla, from 1-1-1969 to 16-4-1969.

Simla-2, the 17th July, 1969

No. 10-2/68-App.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898) as amended by the Punjab Separation of Judicial and Executive Functions Act, 1964, the Administrator (Lieutenant Governor), Himachal Pradesh, is pleased to appoint Shri T. R. Sharma, General Assistant, Kulu district, Kulu to be an Executive Magistrate of the First Class, under the said Code, to exercise powers as such, within the local limits of Kulu district, with effect from the 29th May, 1969.

Simla-2, the 17th July, 1969

No. 10-2/68-App.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Act V of 1968), the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to appoint Shri Mohar Singh, Assistant District Planning and Development Officer, Mandi, to be the Magistrate of First Class, with all the powers of a Magistrate 1st Class, under the said Code, to be exercised within the local limits of Mandi district, with immediate effect.

PRAKASH CHAND,
Joint Secretary.

FOREST DEPARTMENT NOTIFICATION

Simla-4, the 10th July, 1969

No. 3-55/69-SF.—The Lieutenant Governor of Himachal Pradesh is pleased to declare under clause (b) of section 30 of the Indian Forest Act, 1927, the land specified in the schedule appended to Himachal Pradesh Government notification No. Ft. 1061-9/67-(M), dated 3-10-1968 shall be closed for purpose of regeneration for a period of 20 years or for such shorter period as may be found sufficient and that the rights of private persons in or over the said land shall be suspended during the said period.

P. K. MATTOO,
Secretary.

PUBLIC WORKS DEPARTMENT NOTIFICATIONS

Simla-2, the 2nd July, 1969

No. 2-15/69-PWD.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh, that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for the construction of Kingal-Basantpur road, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lieutenant Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh P.W.D., Simla-4.

SPECIFICATION

District: MAHASU Sub-Tehsil: SUNI

Village 1	Khasra No. 2	Area Big. Bis. 3 4	
DADHOG	1/1 124/1 123/1 8/1 563/5/1 364/5/1 6/1	13	19 1 1 0 0 0 1
		1	9
		1	12
		0	5
		0	2
		0	3
		1	3

I	2	3	4
	7/1	1	3
	366/5	0	8
	367/5/1	0	2
	368/10/1	0	9
	11/1	0	4
	12/1	1	4
	13	0	1
	14/1	0	1
	42/1	1	1
	373/46/1	0	10
	374/46	0	10
	47/1	1	16
	48/1	1	8
	38/1	0	14
	51/1	1	11
	52/1	0	3
	56/1	1	9
	57	1	1
	378/58/1	0	11
	379/58/1	0	16
	79/1	0	6
	463/78/1	0	2
	76/1	0	1
	327/256/1	1	4
	257/1	3	4
	412/258/1	1	3
	413/258/1	0	11
	413/258/3	0	13
	329/259/1	0	7
	329/259/3	0	9
	330/259/1	0	13
	330/259/3	0	16
	350/260/1	0	13
	351/260/1	0	13
	26/1	1	10
	415/262/1	0	9
	414/262/1	0	17
	332/263/1	1	0
	331/263/1	0	9
	416/264/1	0	13
	417/264/1	0	13
	353/265/1	0	13
	352/265/1	0	13
	266/1	1	3
	333/267/1	0	9
	334/267/1	0	15
	441/304/1	1	12
	442/304/1	0	6
	447/306/1	2	16
	448/306/1	0	14
	443/304/1	0	8
	444/304/1	0	19
	449/306	2	6
	450/306/1	1	1
	451/306/1	0	16
	452/306/1	1	7
	453/306/1	1	5
	454/306/1	2	6
	455/306/1	2	2
	305/1	0	7
	Total	..	102 4

Simla-1, the 16th July, 1969

No. PW-(R)4-79/66-7804-09.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of Government Colony at Natpa, it is hereby declared that

the land described in the specification below is required for the above purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, H.P. P.W.D. is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh P.W.D., Kalpa, District Kinnaur.

SPECIFICATION

District: KINNAUR Tehsil: NICCHAR

Village	Khasra No.	Area Big. Bis.
NATPA	424	0 6
	418	0 6
	422	3 9
	419	0 8
	425	0 6
	426	0 8
	427	2 18
	Total	.. 8 1

DRAFT NOTIFICATION

Simla, the 19th July, 1969

No. PW(R)124-4/66-9816-21G.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh that land notified for acquisition under section 6 of the Land Acquisition Act, 1894, vide No. R-24-191/58, dated 24-9-1959 published in the Rajpatra H.A. vide No. Registered No. P. 97 Simla, dated 26-9-1959 is no longer required for the purpose for which it was so intended and it has been decided to withdraw from the acquisition under section 48(1) of the Land Acquisition Act.

2. Therefore, in exercise of the powers conferred by section 48(1) of the said Act, the Lieutenant Governor of Himachal Pradesh is pleased to withdraw from the above said acquisition. The possession of the building has not been taken.

3. The details of the land to which this withdrawal will apply is given below:—

SPECIFICATION

District: MANDI Tehsil: SUNDERNAGAR

Village	Khasra No.	Area Big. Bis.
SUNDERNAGAR	421/1] 421/2]	0 2

U. N. SHARMA,
Secretary.

VIDHAN SABHA SECRETARIAT

NOTIFICATION

Simla-4, the 22nd July, 1969

No. 1-22/69-VS.—The following order by the Administrator, dated the 22nd July, 1969, is published for general information.

"In exercise of the powers conferred by sub-section (1) of section 6 of the Government of Union Territories Act, 1963 (No. 20 of 1963) I, Lieutenant General K. Bahadur Singh, the Administrator (Lieutenant Governor) of Himachal Pradesh hereby summon the Legislative Assembly of the Union Territory of Himachal Pradesh to meet at Council Chamber, Simla-4 on the 11th September, 1969 at

10.00 hours.

BAHADUR SINGH,
Lieutenant General (Retd.),
Administrator."

D. B. LAL,
Secretary.

भाग २—बंधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और ज़िला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

PUBLIC WORKS DEPARTMENT NOTIFICATIONS

Simla-1, the 10th July, 1969

No. SE.IV. 7(R)5/67-10299-330.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for widening of curve near North Bank Simla, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lieutenant Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of the Land Acquisition, H.P. P.W.D., Mahasu and Simla districts at Kasumpti.

SPECIFICATION

District: SIMLA

Tehsil: SIMLA

Village	Khasra No.	Area		
		Sq. Yards	Sq. ft.	
STATION WARD	763/121/1	90	0	
BARA SIMLA	95/1	62	0	
	Total	152	0	

TARA CHAND TANDON,
Superintending Engineer,
4th Circle H.P. P.W.D. Simla-1.

भाग ३—प्रधनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, बंधानिक नियम तथा हिमाचल प्रदेश के उप-राज्यपाल, हिमाचल बैंच आफ़ देहली हाई कोर्ट, फाइनेंशल कमिशनर तथा कमिशनर आफ़ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

FOREST DEPARTMENT NOTIFICATION

Simla-4, the 10th July, 1969

No. 3-55/69-SF.—In exercise of the powers conferred under section 32 of the Indian Forest Act, 1927, which has been applied to the land specified in the schedule appended to Himachal Pradesh Government notification No. Ft. 1061-9/67-(M), dated 3-10-1968 and of all other powers enabling him in this behalf, the Lieutenant Governor

of Himachal Pradesh is pleased to direct that the enclosed rules shall apply to said land.

RULES

1. No person shall cut fell or lop any trees for any purpose whatsoever or remove any forest produce, provided that subject to rule below 3 the owners may fell and remove trees, timber and other forest produce for their own domestic and agricultural purposes, in accordance with their recorded rights.

2. Subject to the approval of the Divisional Forest Officer, Una Division the owners may sell trees provided that the trees have first been marked by the Divisional Forest Officer.

3. No living trees standing within 30 feet of the bank of any stream or torrent bed shall be felled for any purpose whatsoever.

4. No person shall herd, pasture, graze or retain sheep, goats, camels or other cattle on the land specified in the schedule annexed to Himachal Pradesh.

5. No person shall clear or break up land for cultivation or other purposes, provided that if in the opinion of the Divisional Forest Officer, Una Division the land is sufficiently protected from damage by flood and erosion, the owners may cultivate the land to the extent permitted by him.

6. No person shall cut or remove grass, provided that the owners may cut grass for their own use or allow its sale with the approval of and within the period allowed by the Divisional Forest Officer, Una Division, on the condition that grass is cut above ground with a *drati* only. (Date to be fixed to allow scattering of ripe grass seed).

7. No person shall set fire to grass, trees or timber, or

kindle a fire on the land without taking reasonable precautions to prevent its spreading.

8. The quarrying of stone or the burning of lime at places where such stone or lime has not ordinarily been so quarried or burnt prior to the publication of the Himachal Pradesh Government notification No. Ft. 1061-9/67(M), dated the 3-10-1968 shall be prohibited except with the permission of the collector of the Kangra district who will consult the Divisional Forest Officer, Una Division, before according such permission.

9. Income from compotion of offences against these rules under section 68 of the Indian Forest Act, 1927 shall be credited to Government provided that the Government may subject to appropriation made by law allow grant-in-aid to the owners to the extent of income derived from compounding of offences under these rules.

10. The owners shall appoint a *rakha* or *rakhas*, whose duty will be to enforce the provisions of these rules. The appointment and dismissal of *rakhas* will be subject to the approval of the Divisional Forest Officer, Una Forest Division.

P. K. MATTOO,
Secretary.

भाग ४—स्थानीय स्वायत शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायत विभाग

LOCAL SELF GOVERNMENT DEPARTMENT

NOTIFICATION

Simla-2, the 18th July, 1969

No. 1-5/68-LSG.—The following amendment made by the Municipal Committee Sultanpur (Kulu) in the Kulu District of Himachal Pradesh to its bye-laws published with the then Punjab Government notification No. 3640-C-43/44572, dated the 20th July, 1943, having been confirmed by the Administrator (Lieutenant Governor), Himachal Pradesh, as required under section 215 of the Himachal Pradesh Municipal Act, 1968, is published for general information and shall come into force with effect from the date of publication of this notification.

AMENDMENT

After bye-law No. 5 the following may be added as bye-law No. 6:—

"6. Owners of all dogs for which registration is to be made in the Municipal Committee of Sultanpur (Kulu), should send a certificate duly signed by the Veterinary Authority to the effect that the dog for which the registration is sought has been treated with Anti-Rabies injections and further that the dog is free from any disease of rabies."

By order,
JOSEPH DINA NATH,
Under Secretary.

PANCHAYATS DEPARTMENT ORDERS

Simla-4, the 23rd July, 1969

No. 4-G72/69-Panch(c).—Whereas an enquiry as to the alleged misappropriation of panchayat funds on the basis of report received from the D.P.O. Mandi has been ordered against Shri Kanhy Ram, President, Gram Panchayat, Kuja Balh, District Mandi which is pending and;

Whereas the continuance of Shri Kanhy Ram as President of the above said Panchayat is not considered desirable in the public interest.

Now, therefore, the said Shri Kanhy Ram in exercise of the powers conferred upon me under section 118A of the Himachal Pradesh, Panchayati Raj Act, 1952 read with Notification No. Panch. 20-205/59 dated 23-8-1965 is placed under suspension with immediate effect and he is further debarred from taking part in any proceedings or act of the above said Gram Panchayat. He is also directed to handover the charge of all panchayat money, record and property complete in all respects to the Vice-President of the above said Gram Panchayat.

Simla-4, the 23rd July, 1969

No. 14-G73/69-Panch(c).—Whereas an enquiry as to the alleged embezzlement of Panchayat funds has been ordered against Shri Bhikham Ram, President, G.P. Bangouti, Tehsil Sarkaghat, District Mandi which is pending;

And whereas continuance of the said Shri Bhikham Ram as President of the above said Gram Panchayat is not considered desirable in the public interest.

Now, therefore, I, P. C. Sharma, Director of Panchayats Himachal Pradesh in exercise of the powers conferred upon me under section 118A of the Himachal Pradesh Panchayati Raj Act, 1952 read with notification No. Panch. 20-205/59, dated the 23rd August, 1965 place the said Shri Bhikham Ram President, under suspension with immediate effect and further debar him to take part in any proceeding or act of the above said Gram Panchayat. He is further directed to handover the record of Panchayat money, property and record complete in all respect to the Vice-President of the said Panchayat.

P. C. SHARMA,
Director.

भाग ५—वैयक्तिक अधिसूचनाएं और विज्ञापन

FORM LR III

Notice under Rule 4(1) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Rules, 1955

Before the Compensation Officer, Shri R. G. Sharma,
Tehsil Sadar, District Mandi.

In the matter of Shri Sher Singh, Meda ss/o Doon,
Achher, Gurmukh, Prem Chand ss/o Charan Dass, r/o
Graru Balh
(Tenants).

Versus

Shri Bhup Singh, etc., and Gulab Singh, Sunder Lal ss/o Jindu, r/o Nagar Mandi and Pana Lal s/o Jindu at present Painter, Beas Link, Quarter No. P/2/362, Pandoh and Bhup Singh s/o Jindu at present Driver, Beas Link, Quarter No. P/2/229, Pandoh and Charanji Lal s/o Jindu at present Draftsman, H.P. P.W.D., Division No. I, Mandi
(Landowners).

To

All persons concerned.

Whereas Shri Sher Singh etc. (Tenants) have applied under sub-section (1) of section 11 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953 for grant of proprietary rights in the land of their tenancy measuring 5-2-7 (as entered in the Revenue Records) situated in Village Graru, Pargana Balh, Tehsil Sadar, District Mandi in the ownership of Shri Bhup Singh etc. (Landowners).

And whereas a sum of Rs. 69.25 paise is proposed to be allowed as compensation to be paid by the said Shri Sher Singh etc. (Tenants) to the said Shri Bhup Singh, etc. (Landowners) for extinction of the rights, title and interests of the said landowners in the land described above.

Now, therefore, in pursuance of Rule 4(1) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Rules, 1955, it is hereby notified for information of all persons concerned that objections in regard to the assessment of the said amount of Rs. 69.25 paise as compensation, shall be received by the undersigned by 2-8-1969.

Any person having any objection to make in the matter, may do so in writing addressed to the undersigned on or before the date specified above whereafter no objections shall be received.

Given under my hand and seal, this 10th day of July, 1969.

R. G. SHARMA,
Compensation Officer.

Seal.

FORM LR III

Notice under Rule 4(1) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Rules, 1955

Before the Compensation Officer, Shri R. G. Sharma,
Tehsil Sadar, District Mandi.

In the matter of Shri Achher, Gurmukh, Prem Chand ss/o Ghanna, r/o Graru Balh
(Tenants).

Versus

Shri Bhup Singh, etc., Gulab Singh, Sunder Lal ss/o Jindu, r/o Nagar Mandi and Pana Lal s/o Jindu at present Painter, Beas Link, Quarter No. P/2/362, Pandoh and Shri Bhup Singh s/o Jindu at present Driver, Beas Link, Quarter No. P/2/229, Pandoh, Charanji Lal s/o Jindu at present Draftsman, H.P. P.W.D., Division No. I, Mandi
(Landowners).

To

All persons concerned.

Whereas Shri Achher etc. (Tenants) have applied under sub-section (1) of section 11 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953 for grant of proprietary rights in the land of their

tenancy measuring 6-6-18 (as entered in the Revenue Records) situated in Village Ner, Pargana Balh, Tehsil Sadar, District Mandi in the ownership of Shri Bhup Singh etc. (Landowners).

And whereas a sum of Rs. 151.70 paise is proposed to be allowed as compensation to be paid by the said Shri Achher etc. (Tenants) to the said Shri Bhup Singh etc. (Landowners) for extinction of the rights, title and interests of the said landowners in the land described above.

Now, therefore, in pursuance of Rule 4(1) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Rules, 1955, it is hereby notified for information of all persons concerned that objections in regard to the assessment of the said amount of Rs. 151.70 paise as compensation, shall be received by the undersigned by 2-8-1969.

Any person having any objection to make in the matter may do so in writing addressed to the undersigned on or before the date specified above where after no objections shall be received.

Given under my hand and seal, this 10th day of July, 1969.

R. G. SHARMA,
Compensation Officer.

FORM LR III

Notice under Rule 4(1) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Rules, 1955

Before the Compensation Officer Shri R. G. Sharma,
Tehsil Sadar, District Mandi.

In the matter of Shri Sunder s/o Dev, r/o Kehar,
Illaqua Balh
(Tenant).

Versus

Shri Beas Dev, Sukh Dev, Hari Prashad ss/o Bishnu,
r/o Nagar Mandi
(Landowners).

To

All persons concerned.

Whereas Shri Sunder (Tenant) has applied under sub-section (1) of section 11 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953 for grant of proprietary rights in the land of his tenancy measuring 11-12-6 (as entered in the Revenue Records) situated in Village Khehar, Pargana Balh, Tehsil Sadar, District Mandi in the ownership of Shri Beas Dev etc. (Landowners).

And whereas a sum of Rs. 419.80 is proposed to be allowed as compensation to be paid by the said Shri Sunder (Tenant) to the said Shri Beas Dev etc. (Landowners) for extinction of the rights, title and interests of the said landowners in the land described above.

Now, therefore, in pursuance of Rule 4(1) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Rules, 1955, it is hereby notified for information of all persons concerned that objections in regard to the assessment of the said amount of Rs. 419.80 as compensation, shall be received by the undersigned by 6-8-1969.

Any person having any objection to make in the matter, may do so in writing addressed to the undersigned on or before the date specified above whereafter no objections shall be received.

Given under my hand and seal, this 10th day of July, 1969.

Seal.

R. G. SHARMA,
Compensation Officer.

FORM LR III

Notice under rule 4(1) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Rules, 1955

Before the Compensation Officer Sirmur district, Nahan In the matter of Shri Bishana s/o Dhau, Nainu, Sundaru, Mahindru, Madanu, Balwantu, Sheru ss/o Kishanu, Lambaru s/o Kalu, r/o Bhaundi, Tehsil Pachhad (Tenants).

Versus

Shri Nain Singh, etc. 64 persons (Landowners).

To

Sarvshri Nain Singh s/o Chandanau, Ram Bhaj, Hirda Ram ss/o Nandu, Ram Deen, Sohan Singh ss/o Rikhi Ram, Mangu s/o Giaso, Chhuhar Singh s/o Changu, Magu s/o Daulat Ram, Kesar Singh s/o Surat Ram, Min Singh s/o Sayar Singh, Hira Singh s/o Albel Singh, Nand Ram s/o Ramji Dass, Shrimati Balwanti, Sufa daughters of Gurda, Hasanu, Matu ss/o Chandanu, Chuhar Singh, Madan Singh ss/o Dakharu, Kundan Singh, Amar Singh, Kishan Singh ss/o Mangu, Partap Singh s/o Agari, Sadan Singh s/o Thoria, Manga s/o Roda Mansha Ram, Rattan Singh, Folla Singh, Balwant Singh ss/o Lachhami Singh, Lachhami Singh s/o Dhumi, Fali s/o Sobha, Rup Singh, Hira Singh, Indar Singh ss/o Albel Singh, Min Singh s/o Sayar Singh, r/o Bhaundi, Tehsil Pachhad, Sukhdarshan Singh s/o Punnu, Smt. Chameli wd/o Punnu legal heirs of Punnu deceased, r/o Kandaiwala, Tehsil Nahan, Mohanu, Rajinder ss/o Prithavi Singh, Om Narain, Raj Narain, Vir Narain ss/o Jagdharan Singh, r/o Upper Street Nahan, Mst. Raji d/o Jagdarshan Singh, Mst. Dropati wd/o Jagdarshan Singh, r/o Upper Street Nahan, Deep Singh, Hardev Singh ss/o Bahadur Singh, Smt. Gaitri Devi wd/o Hira Singh, Mst. Rama Devi wd/o Mohan Singh, Mst. Bugan Devi, Sarla Devi ds/o Mohan Singh, r/o Kandaiwala, Tehsil Nahan, legal heirs of Mohan Singh deceased, Nand Ram s/o Ramji Dass, Naginder Singh, Sukhdarshan Singh ss/o Ram Rakhu, Chandanu, Mahindaru ss/o Punnu, Dhania s/o Chuharu, Sohan Singh s/o Chau, Indar Singh s/o Sohan Singh, Smt. Kalavati d/o Gopal, r/o Kotala, Hem Raj, Kishori Lal ss/o Ram Saran, Ram Sarup s/o Kishan Lal, Joginder Singh, Min Singh, Sham Lal ss/o Kali Ram, Smt. Kalavati, Rattan Devi, Dawarka Devi, Satya Devi, Kirpati Devi (Kiria Devi) ds/o Kali Ram, Smt. Jaino wd/o Kali Ram, Het Ram s/o Kalu, Ganga Ram s/o Thakur Dass, r/o Serol, Sadh s/o Khaunu, Chuharu, Kishani ss/o Palkia, Matu s/o Shuka, Ghanu s/o Shuka, Manga s/o Kalu, Gurdial s/o Sikhatu, Nainu s/o Nantia, Chanchalu s/o Sahibu, Danu s/o Dhaunkia, Mangatu s/o Ghanu, r/o Bhaundi, Tehsil Pachhad (Landowners).

Whereas Shri Bishan etc. (Tenants) have applied under sub-section (1) of section 11 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953, for grant of proprietary rights in the land of their tenancy Khata/Khatauni No. 1/3 share of No. Khata 61/251 to 254 measuring 10 bighas 18 biswas (as entered in the revenue records) situated in village Bhaundi, Tehsil Pachhad, District Sirmur in the ownership of Shri Nain Singh etc. (Landowners).

And whereas a sum of Rs. 21.68 paise is proposed to be allowed as compensation to be paid by the said Shri Bishan etc. (Tenants) to the said Shri Nain Singh etc. (Landowners) for extinction of the rights, title and interests of the said landowners in the land described above.

Now, therefore, in pursuance of Rule 4(1) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Rules, 1955, it is hereby notified for information of all persons concerned that objections in regard to the assessment of the said amount of Rs. 21.68 paise as compensation, shall be received by the undersigned by 16-8-1969.

Any person having any objection to make in the matter, may do so in writing addressed to the undersigned on or before the date specified above whereafter no objections shall be received.

Given under my hand and seal, this 8th day of July, 1969.

Seal.

Sd/-
Compensation Officer.

FORM LR III

Notice under Rule 4(1) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Rules, 1955

Before the Compensation Officer, Sirmur district, Nahan.

In the matter of Shri Lambaru s/o Kalu, Nainu, Madanu, Mahindaru, Balwantu, Sundaru, Sheru ss/o Kishanu, r/o Bhauri, Tehsil Pachhad (Tenant).

Versus

Shri Nain Singh etc. 72 persons (Landowners).

To

Sarvshri Nain Singh s/o Chandnau, Ram Bhaj, Hirda Ram ss/o Nandu, Ram Deen, Sohan Singh ss/o Rikhi Ram, Mangu s/o Giaso, Chhuhar Singh s/o Changu, Magu s/o Daulat Ram, Kesar Singh s/o Surat Ram, Min Singh s/o Sayar Singh, Hira Singh s/o Albel Singh, Nand Ram s/o Ramji Dass, Smt. Balwanti, Sufa ds/o Gurdia, Hasanu, Matu ss/o Chandanu, Chuhar Singh, Madan Singh ss/o Dakharu, Kundan Singh, Amar Singh, Kishan Singh ss/o Mangu, Partap Singh s/o Agari, Sadan Singh s/o Thoria, Manga s/o Roda Mansha Ram, Rattan Singh, Foola Singh, Balwant Singh ss/o Lachhami Singh, Lachhami Singh s/o Dhumi, Fali s/o Sobha, Rup Singh, Hira Singh, Indar Singh, ss/o Albel Singh, Min Singh s/o Sayar Singh, r/o Bhaundi, Tehsil Pachhad, Sukhdarshan Singh s/o Punnu, Smt. Chameli wd/o Punnu legal heirs of Punnu deceased, r/o Kandaiwala, Tehsil Nahan, Mohanu, Rajinder ss/o Prithavi Singh, Om Narian, Raj Narain, Vir Narain ss/o Jagdharan Singh, r/o Upper Street Nahan, Mst. Raji d/o Jagdarshan Singh, Mst. Dropati wd/o Jagdarshan Singh r/o Uppar street Nahan, Deep Singh, Hardev Singh ss/o Bahadur Singh, Smt. Gaitari Devi wd/o Hira Singh, Mst. Rama Devi wd/o Mohan Singh, Mst. Bugan Devi, Sarla Devi, ds/o Mohan Singh, r/o Kandaiwala Tehsil Nahan, legal heirs of Mohan Singh deceased, Nand Ram s/o Ramjidass, Naginder Singh, Sukhdarshan Singh ss/o Ram Rakhu, Chandanu, Mahindaru ss/o Punnu, Dhania s/o Chuharu, Sohan Singh s/o Chau, Inder Singh, s/o Sohan Singh, Smt. Kalavati d/o Gopal, r/o Kotala, Hem Raj, Kishori Lal ss/o Ram Saran, Ram Sarup s/o Kishan Lal, Joginder Singh, Min Singh, Sham Lal ss/o Kali Ram, Smt. Kaka-vati, Rattan Devi, Dawarka Devi, Satya Devi, Kirpati Devi (Kiria Devi) ds/o Kali Ram, Smt. Jaino wd/o Kali Ram, Het Ram s/o Kalu, Ganga Ram s/o Thakur Dass, r/o Serol, Sadh s/o Khaunu, Chuharu, Kishani ss/o Palkia, Matu s/o Shuka, Ghanu s/o Shuka, Manga s/o Kalu, Gurdial s/o Sikhatu, Nainu s/o Nantia, Chanchalu s/o Sahibu, Danu s/o Dhaunkia, Mangatu s/o Ghanu, r/o Bhaundi, Tehsil Pachhad (Landowners).

Whereas Shri Lambaru etc. (Tenants) have applied under sub-section (1) of section 11 of the Hinachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953, for grant of proprietary rights in the land of their tenancy Khata/Khatauni No. 88/331, measuring 10 Bighas 13 Biswas (as entered in the revenue records) situated in village Bhauri, Tehsil Pachhad, District Sirmur in the ownership of Shri Nain Singh etc. (Landowners).

And whereas a sum of Rs. 284.68 paise is proposed to be allowed as Compensation to be paid by the said Shri Lumbaru etc. (Tenants) to the said Shri Nain Singh etc. (Landowners) for extinction of the rights, title and interests of the said landowners in the land described above.

Now, therefore, in pursuance of Rule 4(1) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Rules, 1955, it is hereby notified for information of all persons concerned that objections in regard to the assessment of the said amount of Rs. 284.68 paise

as compensation shall be received by the undersigned by 16-8-1969.

Any person having any objection to make in the matter, may do so in writing addressed to the undersigned on or before the date specified above whereafter no objections shall be received.

Given under my hand and seal, this 8th day of July, 1969.

Seal.

Sd/-
Compensation Officer.

भाग ६—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

LAW DEPARTMENT

NOTIFICATION

Simla-2, the 9th July, 1969

No. 13-41/68-LR.—The following Ordinances promulgated by the Vice-President acting as President of India, and published in the Gazette of India Extraordinary, Part II, Section I, are hereby republished in the Himachal Pradesh Government Rajapatra for the information of general public:—

1. The Indian Railways (Amendment) Ordinance, 1969 (3 of 1969).
2. The Central Sales Tax (Amendment) Ordinance, 1969 (4 of 1969).

JOSEPH DINA NATH,
Under Secretary. (Judicial).

THE INDIAN RAILWAYS (AMENDMENT) ORDINANCE, 1969

No. OF 3 1969

Promulgated by the Vice-President acting as President in the Twentieth Year of the Republic of India.

An Ordinance further to amend the Indian Railways Act, 1890.

WHEREAS a Bill further to amend the Indian Railways Act, 1890 has been introduced in Parliament but has not yet been passed;

AND WHEREAS Parliament is not in session and the Vice-President acting as President is satisfied that circumstances exist which render it necessary for him to take immediate action to give effect to the provisions of the Bill;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the Vice-President acting as President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Indian Railways (Amendment) Ordinance, 1969.

(2) It shall come into force on the 10th day of June, 1969.

2. *Act 9 of 1890 to be temporarily amended.*—During the period of operation of this Ordinance, the Indian Railways Act, 1890 (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in sections 3 and 4.

3. *Amendment of section 112.*—In section 112 of the principal Act,—

(a) in sub-section (1), for the words "which may extend to one hundred rupees", the words "which shall not be less than ten rupees but which may extend to five hundred rupees" shall be substituted;

(b) in sub-section (1A) for the words "fifty naya paise", the words "ten rupees" shall be substituted.

4. *Amendment of section 113.*—In section 113 of the principal Act, in sub-section (3),—

- (a) in the opening paragraph, for the words "fifty naye paise", the words "ten rupees" shall be substituted;
- (b) in the first proviso, for the words "nearest multiple of five naye paise, or fifteen naye paise", the words "nearest multiple of five paise, or five rupees" shall be substituted.

V. V. GIRI,
Vice-President acting as President.

N. D. P. NAMBOODIRIPAD,
Joint Secretary to the Government of India.

THE CENTRAL SALES TAX (AMENDMENT) ORDINANCE, 1969

No. 4 of 1969

Promulgated by the Vice-President acting as President in the Twentieth Year of the Republic of India.

An Ordinance further to amend the Central Sales Tax Act, 1956, and to provide for certain other connected matters.

WHEREAS Parliament is not in session and the Vice-President acting as President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the Vice-President acting as President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Central Sales Tax (Amendment) Ordinance, 1969.

(2) It shall come into force at once.

2. *Act 74 of 1956 to be temporarily amended.*—During the period of operation of this Ordinance, the Central Sales Tax Act, 1956 (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3, 4, 5, 6, 7 and 8.

3. *Amendment of section 2.*—In section 2 of the principal Act, in clause (j), for the words "and determined in the prescribed manner", the words "and determined in accordance with the provisions of this Act and the rules made thereunder" shall be, and shall be deemed always to have been, substituted.

4. *Amendment of section 6.*—In section 6 of the principal Act, after sub-section (1), the following sub-section shall be, and shall be deemed always to have been, inserted, namely:—

"(1A) A dealer shall be liable to pay tax under this Act on a sale of any goods effected by him in the course of

inter-State trade or commerce notwithstanding that no tax would have been leviable (whether on the seller or purchaser) under the sales tax law of the appropriate State if that sale had taken place inside that State.”.

5. Insertion of new section 8A.—After section 8 of the principal Act, the following section shall be, and shall be deemed always to have been, inserted, namely:—

“8A. Determination of turnover.—(1) In determining the turnover of a dealer for the purposes of this Act, the following deductions shall be made from the aggregate of the sale prices, namely:—

(a) the amount arrived at by applying the following formula:—
rate of tax \times aggregate of sale prices

100 plus rate of tax

Provided that no deduction on the basis of the above formula shall be made if the amount by way of tax collected by a registered dealer, in accordance with the provisions of this Act, has been otherwise deducted from the aggregate of sale prices.

Explanation.—Where the turnover of a dealer is taxable at different rates, the aforesaid formula shall be applied separately in respect of each part of the turnover liable to a different rate of tax;

(b) the sale price of all goods returned to the dealer by the purchasers of such goods within a period of three months from the date of delivery of the goods:

Provided that satisfactory evidence of such return of goods and of refund or adjustment in accounts of the sale price thereof is produced before the authority competent to assess or, as the case may be, re-assess the tax payable by the dealer under this Act; and

(c) such other deductions as the Central Government may, having regard to the prevalent market conditions, facility of trade and interests of consumers, prescribe.

(2) Save as otherwise provided in sub-section (1), in determining the turnover of a dealer for the purposes of this Act, no deduction shall be made from the aggregate of the sale prices.”.

6. Substitution of new section for section 9.—For section 9 of the principal Act, the following section shall be, and shall be deemed always to have been, substituted, namely:—

“9. Levy and collection of tax and penalties.—(1) The tax payable by any dealer under this Act on sales of goods effected by him in the course of inter-State trade or commerce, whether such sales fall within clause (a) or clause (b) of section 3, shall be levied by the Government of India and the tax so levied shall be collected by that Government in accordance with the provisions of sub-section (2), in the State from which the movement of the goods commenced:

Provided that, in the case of a sale of goods during their movement from one State to another, being a sale subsequent to the first sale in respect of the same goods, the tax shall, where such sale does not fall within sub-section (2) of section 6, be levied and collected in the State from which the registered dealer effecting the subsequent sale obtained or, as the case may be, could have obtained, the form prescribed for the purposes of clause (a) of sub-section (4) of section 8 in connection with the purchase of such goods.

(2) Subject to the other provisions of this Act and the rules made thereunder, the authorities for the time being empowered to assess, re-assess, collect and enforce pay-

ment of any tax under the general sales tax law of the appropriate State shall, on behalf of the Government of India, assess, re-assess, collect and enforce payment of tax, including any penalty, payable by a dealer under this Act as if the tax or penalty payable by such a dealer under this Act is a tax or penalty payable under the general sales tax law of the State; and for this purpose they may exercise all or any of the powers they have under the general sales tax law of the State; and the provisions of such law, including provisions relating to returns, provisional assessment, advance payment of tax, registration of the transferee of any business imposition, of the tax liability of a person carrying on business on the transferee of, or successor to, such business, transfer of liability of any firm or Hindu undivided family to pay tax in the event of the dissolution of such firm or partition of such family, recovery of tax from third parties, appeals, reviews, revisions, references, refunds, rebates, penalties, compounding of offences and treatment of documents furnished by a dealer as confidential, shall apply accordingly:

Provided that if in any State or part thereof there is no general sales tax law in force, the Central Government may by rules made in this behalf, make necessary provision for all or any of the matters specified in this sub-section.

(3) The proceeds in any financial year of any tax, including any penalty, levied and collected under this Act in any State (other than a Union territory) on behalf of the Government of India shall be assigned to that State and shall be retained by it; and the proceeds attributable to Union territories shall form part of the Consolidated Fund of India.”.

7. Amendment of section 10A.—Section 10A of the principal Act shall be, and shall be deemed always to have been re-numbered as sub-section (1) of that section and after the said sub-section (1), the following sub-section shall be, and shall be deemed always to have been, inserted, namely:—

“(2) The penalty imposed upon any dealer under sub-section (1) shall be collected by the Government of India in the manner provided in sub-section (2) of section 9—

(a) in the case of an offence falling under clause (b) or clause (d) of section 10, in the State in which the person purchasing the goods obtained the form prescribed for the purposes of clause (a) of sub-section (4) of section 8 in connection with the purchase of such goods;

(b) in the case of an offence falling under clause (c) of section 10, in the State in which the person purchasing the goods should have registered himself if the offence had not been committed.”.

8. Amendment of section 13.—In section 13 of the principal Act in clause (f) of sub-section (1), for the word, brackets and figure “sub-section (3)”, the word, brackets and figure “sub-section (2)” shall be, and shall be deemed always to have been substituted.

9. Validation of assessments, etc.—(1) Notwithstanding anything contained in any judgment, decree or order of any court or other authority to the contrary, any assessment, re-assessment, levy or collection of any tax made or purporting to have been made, any action or thing taken or done in relation to such assessment, re-assessment, levy or collection under the provisions of the principal Act before the commencement of this Ordinance, shall be deemed to be as valid and effective as if such assessment, re-assessment, levy or collection or action or thing had been made, taken or done under the principal Act as amended by this Ordinance and accordingly—

(a) all acts, proceedings or things done or taken by the Government or by any officer of the

Government or by any other authority in connection with the assessment, re-assessment, levy or collection of such tax shall, for all purposes, be deemed to be, and to have always been, done or taken in accordance with law;

- (b) no suit or other proceedings shall be maintained or continued in any court or before any authority for the refund of any such tax; and
- (c) no court shall enforce any decree or order directing the refund of any such tax.

(2) For the removal of doubts, it is hereby declared that nothing in sub-section (1) shall be construed as pereventing any person—

- (a) from questioning in accordance with the provisions of the principal Act, as amended by this Ordinance, any assessment, re-assessment, levy or collection of tax referred to in sub-section (1), or
- (b) from claiming refund of any tax paid by him in excess of the amount due from him by way of tax under the principal Act as amended by this Ordinance.

10. Exemption from liability to pay tax in certain cases.—(1) Where any sale of goods in the course of inter-State trade or commerce has been effected during the period between the 10th day of November, 1964, and the commencement of this Ordinance, and the dealer effecting such sale has not collected any tax under the principal Act on the ground that no such tax could have been levied or collected in respect of such sale or any portion of the turnover relating to such sale and no such tax could have been levied or collected if the amendments made in the principal Act by this Ordinance had not been made, then, notwithstanding anything contained in section 9 or the said amendments, the dealer shall not be liable to pay any tax under the principal Act, as amended by this Ordinance, in respect of such sale or such part of the turnover relating to such sale.

(2) For the purposes of sub-section (1), the burden of proving that no tax was collected under the principal Act in respect of any sale referred to in sub-section (1) or in respect of any portion of the turnover relating to such sale shall be on the dealer effecting such sale.

V. V. GIRI,
Vice-President acting as President,
[Signature]—
N. D. P. NAMBOODIRIPAD,
Joint Secretary to the Government of India.

LAW DEPARTMENT NOTIFICATION

Simla-2, the 19th July, 1969

No. 6-37/69-LR.—The Government of India, Ministry of Home Affairs, Notification No. S.O. 1945, dated 14th May, 1969, published in the Gazette of India, Part II, Section 3(ii) is hereby republished in the Himachal Pradesh Government Rajpatra for the information of all concerned.

JOSEPH DINA NATH,
Under Secretary (Judicial).

GOVERNMENT OF INDIA MINISTRY OF HOME AFFAIRS NOTIFICATION

New Delhi-1, the 14th May, 1969/24th Vaisakha, 1891

S.O. 1945.—In exercise of the powers conferred by sub-section (2) of section 1 of the Official Languages Act, 1963 (19 of 1963), the Central Government hereby appoints the 19th day of May, 1969, as the date on which the provisions of section 6 of the said Act shall come into force.

[F. 2/2/66-OLP]

R. D. THAPAR,
Joint Secretary to the Government of India.

भाग ७—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

शन्य

प्रान्तपूरक

शन्य